

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

WILLIAM ALAN PHILLIPS,)
)
Plaintiff,)
) No. 1:05-CV-215
v.)
) Judge Curtis L. Collier
CAPITAL TOYOTA, INC.,)
LEXUS OF CHATTANOOGA, INC.,)
JEFFREY McKAMEY, and GENE McGEE,)
)
Defendants.)

ORDER

In accordance with the accompanying memorandum, the Court hereby **GRANTS** Defendants Capital Motor Sales, Inc., Jeffery McKamey, and Gene McGee's (collectively "Defendants") "Second Motion For Partial Dismissal" (Court File No. 30) and **DISMISSES** Plaintiff William Alan Phillips' claims under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*. Plaintiff's remaining claims that have not been dismissed will proceed.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE